

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**JOSHUA SALAZAR,**

**Plaintiff**

**v.**

**TEXAS PRIDE FUELS, LTD.,**

**Defendant**

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**CIVIL ACTION NO. 5:15-cv-01044-DAE**

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**AGREED PROPOSED SCHEDULING ORDER**

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Pursuant to the Court's Order for Scheduling Recommendations and Advisory Concerning Magistrate Judge Assignment entered on December 15, 2015, and Rule 16 of the Federal Rules of Civil Procedure, the Parties have conferred and propose that the Court issue the following Scheduling Order:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed by **Friday, February 19, 2016**.
2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties by **Friday, February 19, 2016**, and each opposing party shall respond, in writing, by **Friday, March 4, 2016**.
3. The parties shall file all motions to amend or supplement pleadings or to join additional parties by **Friday, March 18, 2016**.
4. All parties asserting claims for relief shall file their designation of potential witnesses, testifying experts, and proposed exhibits, and shall serve on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by **Monday, March 28, 2016**. Parties resisting claims for relief shall file their designation of potential witnesses, testifying expert, and proposed exhibits, and shall serve on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by **Friday, May 13, 2016**. All designations of rebuttal experts shall be designated within 14 days of receipt of the report of the opposing expert.
5. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within **thirty (30) days** of receipt of the written report of the expert's proposed testimony, or within

**thirty (30)** days of the expert's deposition, if a deposition is taken, whichever is later.

6. The parties shall complete all discovery on or before **Friday, August 19, 2016**. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.
7. All dispositive motions shall be filed no later than **Friday, September 23, 2016**. Dispositive motions as defined in Local Rule CV-7(c) and responses to dispositive motions shall be limited to twenty (20) pages in length. Replies, if any, shall be limited to ten (10) pages in length in accordance with Local Rule CV-7(e). **If the parties elect not to file dispositive motions, they must contact the courtroom deputy, Tiffany Ramaekers at (210) 472-6550 ext. 5016, or by email Tiffany\_Ramaekers@txwd.uscourts.gov, in order to set a trial date.**
8. The hearing on dispositive motions will be set by the Court after all responses and replies have been filed.
9. The Court will set the case for trial by separate order. The order will establish trial type deadlines to include pretrial matters pursuant to Local Rule CV-16(e)-(g).
10. All of the parties who have appeared in the action conferred concerning the contents of the proposed scheduling order on Tuesday, January 12, 2016, and the parties have agreed as to its contents.

**SIGNED AND ENTERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
DAVID A. EZRA  
UNITED STATES DISTRICT JUDGE

**AGREED:**

/s/ Adam Poncio

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